

Exhibit 4

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21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.,
25 Plaintiff,
26 v.
27 GOOGLE INC.,
28 Defendant.

Case No. CV 10-03561 WHA

**ORACLE AMERICA, INC.'S THIRD
SUPPLEMENTAL INITIAL
DISCLOSURES**

Judge: Honorable William H. Alsup

ORACLE AMERICA, INC.'S THIRD
SUPPLEMENTAL INITIAL DISCLOSURES
CV 10-03561 WHA

Pursuant to Federal Rule of Civil Procedure 26(a)(1) and 26(e), Plaintiff Oracle America, Inc. ("Oracle") hereby provides these supplemental initial disclosures. Oracle has made a reasonable and good faith effort to make the initial disclosures herein, including providing general descriptions of documents, and identifying persons who may have knowledge of pertinent information, relating to the issues in this action. However, Oracle's investigation of its claims and defenses in this action is ongoing and Google has yet to respond to Oracle's supplemental complaint. Other potential witnesses and/or documents may be identified and become significant as discovery proceeds and as the case develops, and therefore, Oracle reserves the right to supplement these disclosures. These disclosures are intended only to supplement those previously provided pursuant to Federal Rule of Civil Procedure 26; Oracle otherwise incorporates by reference its prior initial and supplemental/amended disclosures.

I. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION THAT ORACLE MAY USE TO SUPPORT ITS CLAIMS OR DEFENSES (FED. R. CIV. P. 26(a)(1)(A)(i)).

The persons Oracle believes are likely to have discoverable information that Oracle may use to support its claims and defenses are listed below. Oracle otherwise incorporates by reference its prior disclosures. Oracle also incorporates by reference all persons noticed for deposition, deposed by either Oracle or Google in this litigation, disclosed by either Oracle or Google in this litigation (including through all prior Rule 26 disclosures or witness lists), or persons who testified at trial.

Name, Contact Information	Subject
Agarwal, Aditya (Contact through Google's counsel)	Google's revenue and profit projections for Android, including advertising revenues
Angioletti, Thomas Joseph (Contact through Oracle's counsel)	Pre-lawsuit Java-related discussions between Google and Oracle
Barr, Terrence (Contact through Oracle's counsel)	Java licensing and strategy
Brady, Patrick (Contact through Google's counsel)	Google's compatibility requirements for Android, including with respect to implementations

Name, Contact Information	Subject
Brenner, Alan (Contact through Oracle's counsel)	Java development, distribution, licensing, sales, business models and plans, negotiations with Google regarding Java and harm to the Java platform and Java licensing caused by Google and Android
Buchholz, Martin (Contact through Google's counsel)	Google's Java-related discussions with Sun
Camargo, Rafael (Contact through Google's counsel)	Google's compatibility requirements for Android, including with respect to Android devices
Coughran, Bill (Former Google employee)	Java license negotiations between Google and Sun
De Castro, Henrique (Former Google employee)	Google's mobile market and the importance of the mobile market to Google; the role of Android in Google's mobile strategy; Google's motive for copying the Java copyrighted works
DeSalvo, Chris (Former Google employee)	Google's need for Java; Java license negotiations between Google and Sun; facts related to Google's willful copyright infringement; facts related to Google's bad faith in using the Java copyrighted works for Android
Hofert, David (Contact through Oracle's counsel)	Java product and business development and plans; Java sales and market, including Java licensing and distribution; impact of Android on the actual or potential market for Java
Lee, Ben (Former Google employee)	Pre-lawsuit Java-related discussions between Google and Oracle; Google's awareness of Sun's and Oracle's Java intellectual property rights and the need for Google to obtain a Java license for Android; facts related to Google's willful infringement; facts related to Google's bad faith in using the Java copyrighted works for Android
Lee, Bob (Former Google employee)	Google's development of Android and inclusion of Java technology therein; Google's copying of the Java copyrighted works into Android and the value and importance thereof; Google's awareness of Sun's and Oracle's Java

Name, Contact Information	Subject
	intellectual property rights and the need for Google to obtain a Java license for Android; Google's Java-related discussions with Sun; pre-lawsuit Java-related discussions between Google and Oracle; facts related to Google's willful copyright infringement; facts related to Google's bad faith in using the Java copyrighted works for Android
McFadden, Andy (Former Google employee)	Google's development of Android and inclusion of Java technology therein; the purpose of the infringing components of Android; Google's awareness of Sun's Java intellectual property rights and the need for Google to obtain a Java license for Android; Google's Java-related discussions with Sun and Oracle; facts related to Google's bad faith in using the Java copyrighted works for Android
McGuire, Joshua (Contact through Google's counsel)	Pre-lawsuit Java-related discussions between Google and Oracle; Google's awareness of Sun's and Oracle's Java intellectual property rights and the need for Google to obtain a Java license for Android; facts related to Google's willful copyright infringement; facts related to Google's bad faith in using the Java copyrighted works for Android
Morrill, Daniel (Former Google employee)	Google's decision to make Android incompatible with Java; facts relating to Android's incompatibility with Java; Google's use of Android devices for testing and other purposes; Google's development of Android applications; Google's involvement in and knowledge of development of Android devices by third parties; Google's compatibility requirements for Android; Google's awareness of Sun's Java intellectual property rights and the need for Google to obtain a Java license for Android; facts related to Google's willful copyright infringement; facts related to Google's bad faith in using the Java copyrighted works for Android
Pichai, Sundar (Contact through Google's)	Product extensions of Android, ongoing infringement of the Java copyrighted works;

Name, Contact Information	Subject
counsel)	facts related to Google's willful copyright infringement; facts related to Google's bad faith in using the Java copyrighted works for Android; Google's revenue and profit projections for Android, including advertising revenues
Pichette, Patrick (Former Google employee)	Google's revenue and profit projections for Android, including advertising revenues
Porat, Ruth (Contact through Google's counsel)	Google's revenue and profit projections for Android, including advertising revenues
Reinhold, Mark (Contact through Oracle's counsel)	Java development, distribution, licensing, business models, business plans and copyrights; importance, value and quality of the Java copyrighted works that were copied by Google for Android; design and creativity associated with the Java copyrighted works
Ringhofer, Mike (Contact through Oracle's counsel)	Java product and business development and plans; Java sales and market, including Java licensing and distribution; impact of Android on the actual or potential market for Java
Saab, Georges (Contact through Oracle's counsel)	Java product and business development and plans; impact of Android on the market for Java
Sarboraria, Matthew (Contact through Oracle's counsel)	Pre-lawsuit Java-related discussions between Google and Oracle
Schulman, Eric (Contact through Google's counsel)	Pre-lawsuit Java-related discussions between Google and Oracle; Google's awareness of Sun's and Oracle's Java intellectual property rights and the need for Google to obtain a Java license for Android; facts related to Google's willful copyright infringement; facts related to Google's bad faith in using the Java copyrighted works for Android
Screven, Edward (Contact through Oracle's counsel)	Oracle's acquisition of Sun's intellectual property rights, including Java as part of the acquisition of Sun; importance of Java to Oracle's business; design and creativity associated with the Java copyrighted works

Name, Contact Information	Subject
Simion, George (Contact through Oracle's counsel)	Pre-lawsuit Java-related discussions between Google and Oracle
Smith, Donald (Contact through Oracle's counsel)	Java product and business development and plans; Java markets; Java licensing; impact of Android on the actual or potential markets for Java
Ståhl, Henrik (Contact through Oracle's counsel)	Java product and business development and plans; Java markets; Java licensing; impact of Android on the actual or potential markets for Java
Stein, Greg (Former Google employee)	Java compatibility and fragmentation
Swetland, Brian (Former Google employee)	Google's development of Android and inclusion of Java technology therein; Google's copying of Java copyrighted works into Android; Google's awareness of Sun's Java intellectual property rights and the need for Google to obtain a Java license for Android; the benefits associated with Java and Google's lack of alternatives; Google's Java-related discussions with Sun and Oracle; past negotiations with Sun for Java license (including while at Danger Inc.); facts related to Google's willful copyright infringement; facts related to Google's bad faith in using the Java copyrighted works for Android
Wall, Dick (Former Google employee)	Android development, marketing and distribution
Wayne, Mark (Contact through Oracle's counsel)	Java licensing
Wilson, Jesse (Contact through Google's counsel)	Android development
Zavery, Amit (Contact through Oracle's counsel)	Importance of Java to Oracle's business; harm caused by Android

II. DOCUMENTS (FED. R. CIV. P. 26(a)(1)(A)(ii)).

Oracle discloses and describes by category the following documents, electronically-stored

1 information, data compilations and tangible things that are or may be in the possession, custody
2 or control of Oracle that Oracle currently and reasonably believes it may use to support its claims
3 or defenses. Oracle otherwise incorporates by reference its prior disclosures.

4 1. Documents evidencing Google's knowledge of its need to license Java for its use
5 of Java copyrighted works in Android.

6 2. Documents evidencing Google's knowledge or reckless disregard of its
7 infringement of the Java copyrighted works.

8 3. Documents evidencing Google's bad faith in using the Java copyrighted works for
9 Android.

10 4. Documents evidencing harm to the market for the Java copyrighted works.

11 5. Documents showing the commercial purpose of Google's use of the Java
12 copyrighted works in Android.

13 6. Documents relating to the nature of the copyrighted work, including, but not
14 limited to, the creativity associated with the Java copyrighted works.

15 7. Documents evidencing the quantity of Java copyrighted works copied by Google.

16 8. Documents evidencing the quality and importance of the Java copyrighted works
17 copied by Google.

18 9. Documents evidencing the potential and actual market associated with the Java
19 copyrighted works.

20 10. Documents concerning harm to the potential market for the Java copyrighted
21 works.

22 11. Documents relating to Google's argument that its use of the Java copyrighted
23 works was transformative.

24 12. Documents relating to each type and category of damages and remedies to which
25 Oracle is entitled, including, but not limited to, license fees, revenue from and profitability of
26 Java and related Oracle businesses, Oracle's actual damages resulting from Google's
27 infringement, and Google's revenue from Android and/or any other product or service licensed or
28 sold with Android (to the extent any such documents are in Oracle's possession).

1 **IV. INITIAL DISCLOSURES REGARDING INSURANCE (FED. R. CIV. P.**
2 **26(a)(1)(A)(iv)).**

3 Oracle is unaware of any insurance agreement under which an insurance business may be
4 liable to satisfy all or part of a judgment in this action or to indemnify or reimburse for payments
5 made to satisfy any judgment.

6
7 Dated: August 27, 2015

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12 By: /s/ Lisa T. Simpson
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13 *Attorneys for Plaintiff*
14 ORACLE AMERICA, INC.

PROOF OF SERVICE

I am over the age of eighteen years and not a party to the within-entitled action. My business address is Orrick, Herrington & Sutcliffe LLP, 51 West 52nd Street, New York, New York 10019. On August 27, 2015, I served the following document(s):

**ORACLE AMERICA, INC.'S THIRD SUPPLEMENTAL
INITIAL DISCLOSURES**

on the interested parties in this action by electronic service [Fed. Rule Civ. Proc. 5(b)] by electronically mailing a true and correct copy, pursuant to counsel's email dated August 24, 2015, to the following listserv:

DALVIK-KVN@kvn.com

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 27, 2015, at New York City, New York.

/s/ Ilene Albala

Ilene Albala